

# EXHIBIT B

Benjamin Wey

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UNITED STATES DISTRICT COURT

DISTRICT OF NEW YORK

CASE NO. 14-cv-5474 (PGG)

- - -

HANNA BOUVENG, :

Plaintiff, :

vs. :

NYG CAPITAL LLC d/b/a/ :

NEW YORK GLOBAL GROUP :

GROUP, FNL MEDIA LLC, :

and BENJAMIN WEY, :

Defendants. :

VIDEOTAPED DEPOSITION OF

BENJAMIN WEY

March 10, 2015

New York, New York

- - -

REPORTED BY: DANA N. SREBRENICK, CRR CLR

- - -

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<p>1 A. Yes.</p> <p>2 Q. What was the master's thesis</p> <p>3 in?</p> <p>4 A. It was in leadership.</p> <p>5 Q. Just regular old leadership,</p> <p>6 not any kind of special leadership?</p> <p>7 A. Leadership about</p> <p>8 entrepreneurship strategies.</p> <p>9 Q. Was that a daytime program, a</p> <p>10 nighttime program, both day and night? You</p> <p>11 tell me.</p> <p>12 A. Both day and night.</p> <p>13 Q. Did you ever work in Oklahoma?</p> <p>14 A. Yes.</p> <p>15 Q. What kind of work did you do in</p> <p>16 Oklahoma?</p> <p>17 A. International trade and</p> <p>18 investments.</p> <p>19 Q. Okay. And did -- who did you</p> <p>20 work for in Oklahoma?</p> <p>21 A. I worked for myself.</p> <p>22 Q. Did -- did you have a company</p> <p>23 name that you worked for? Did you set up a</p> <p>24 firm or a company?</p> <p>25 A. Yes.</p>	<p>1 document that's been marked Exhibit 10, which</p> <p>2 consists of five pages.</p> <p>3 Have you ever seen that before?</p> <p>4 A. May I see this?</p> <p>5 Q. So the pending question,</p> <p>6 Mr. Wey, in case you forgot, is did you ever</p> <p>7 see this document before.</p> <p>8 A. Yes, I have.</p> <p>9 Q. And if you look at the last</p> <p>10 page or the second to last page -- or, the</p> <p>11 third to last page -- sorry -- page number 3</p> <p>12 of this exhibit, which is Bates numbered 109,</p> <p>13 that's your signature, true?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And if you look at page</p> <p>16 2 of exhibit -- of the exhibit, it says,</p> <p>17 "Censure. Respondent" -- that's you,</p> <p>18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. -- "consents to the issuance of</p> <p>21 a censure," right?</p> <p>22 A. Yes.</p> <p>23 Q. And prohibition to conduct</p> <p>24 business, it says, "Respondent" -- again,</p> <p>25 that's you, true?</p>
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<p>1 Q. What was the name?</p> <p>2 A. It's called New York Global</p> <p>3 Group. It's Benchmark Global Group.</p> <p>4 Q. And at some point, did you get</p> <p>5 in trouble with the Oklahoma Department of</p> <p>6 Securities?</p> <p>7 A. Could you repeat the question?</p> <p>8 Q. Sure. At some point, did you</p> <p>9 get in trouble with the State of Oklahoma</p> <p>10 Department of Securities?</p> <p>11 A. What does "trouble" mean here</p> <p>12 in this context?</p> <p>13 Q. Well, did they ban you from</p> <p>14 ever selling stock in the State of Oklahoma?</p> <p>15 A. The answer is no.</p> <p>16 Q. Really? Okay.</p> <p>17 Were you ever censured by the</p> <p>18 Department of Securities in the State of</p> <p>19 Oklahoma?</p> <p>20 A. Yes.</p> <p>21 (Exhibit 10, State of Oklahoma</p> <p>22 Department of Securities' letter, marked for</p> <p>23 identification.)</p> <p>24 BY MR. RATNER:</p> <p>25 Q. And I'd like to show you the</p>	<p>1 A. Yes.</p> <p>2 Q. -- "agrees that subsequent to</p> <p>3 the execution of the agreement, he shall not</p> <p>4 request to register as a broker dealer,</p> <p>5 broker dealer agent, investment advisor,</p> <p>6 investment advisor representative and/or</p> <p>7 issuer agent under the act," right?</p> <p>8 A. Yes.</p> <p>9 Q. So you agreed that you would</p> <p>10 not conduct any of those businesses in the</p> <p>11 State of Oklahoma, true?</p> <p>12 MR. SHER: Objection.</p> <p>13 BY MR. RATNER:</p> <p>14 Q. You may answer.</p> <p>15 MR. SHER: You can answer.</p> <p>16 A. "I shall not request to conduct</p> <p>17 business in Oklahoma," that's the exact</p> <p>18 language.</p> <p>19 BY MR. RATNER:</p> <p>20 Q. Okay. Well, let's read the</p> <p>21 next sentence then. "Respondent further</p> <p>22 agrees that he shall not transact security</p> <p>23 business on behalf of an issuer of securities</p> <p>24 or as a broker dealer, broker dealer agent,</p> <p>25 investment advisor, investment advisor</p>

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<p>1 February 2014, that what Ms. Bouveng wanted</p> <p>2 to do was become a United States citizen,</p> <p>3 true?</p> <p>4 A. Yes.</p> <p>5 Q. Not that she abandoned applying</p> <p>6 for the H-1B visa because she was negligent</p> <p>7 or because she was careless or anything like</p> <p>8 that, true?</p> <p>9 A. Not true.</p> <p>10 Q. Okay. Is there anything in --</p> <p>11 on Exhibit 13, page 1548, that says, Oh, by</p> <p>12 the way, Hanna negligently didn't fill out</p> <p>13 the application?</p> <p>14 A. No.</p> <p>15 Q. Then, next page, Mr. Johnson</p> <p>16 writes back to you on February 27th at 11:18</p> <p>17 a.m., right?</p> <p>18 A. Appears to be.</p> <p>19 Q. Okay. And -- and he sent a</p> <p>20 copy of this to both you and Ms. Bouveng,</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. And it says, "I'm in receipt of</p> <p>24 Mr. Wey's e-mail early this morning stating</p> <p>25 that Ms. Bouveng no longer wishes to go</p>	<p>1 application for the H-1B visa?</p> <p>2 A. I believe we did.</p> <p>3 Q. Okay. Let's put this away.</p> <p>4 Now, Ms. Bouveng thought that</p> <p>5 she could become a citizen because her mother</p> <p>6 was an American citizen, true?</p> <p>7 A. Yes.</p> <p>8 Q. And isn't it also true that Ms.</p> <p>9 Bouveng applied for an American passport?</p> <p>10 A. I believe she did.</p> <p>11 Q. Did she ever get the American</p> <p>12 passport?</p> <p>13 A. I don't know.</p> <p>14 Q. In order for her to get the</p> <p>15 American passport, she would have needed a</p> <p>16 passport from her mother to show that her</p> <p>17 mother was an American citizen, true?</p> <p>18 A. I believe so.</p> <p>19 Q. Did you ever see Ms. Bouveng's</p> <p>20 mother's passport?</p> <p>21 A. No.</p> <p>22 Q. Were you aware that</p> <p>23 Ms. Bouveng's mother's passport was in</p> <p>24 Ms. Bouveng's apartment in April 2014?</p> <p>25 A. No.</p>
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<p>1 forward with the H-1B petition," right?</p> <p>2 A. Yes.</p> <p>3 Q. And did you respond to that, or</p> <p>4 did Ms. Bouveng respond to that, to your</p> <p>5 knowledge, and say, No, no, no. I want to go</p> <p>6 through with the H-1B petition?</p> <p>7 A. Yes, we did.</p> <p>8 Q. Okay. And where's that?</p> <p>9 A. We had a call with Mr. Johnson</p> <p>10 right after that.</p> <p>11 Q. When was the call?</p> <p>12 A. I don't remember the date or</p> <p>13 time. We had a call with him. To clarify,</p> <p>14 Mr. Johnson's concern under point 2,</p> <p>15 "Therefore, in our opinion, it is a big</p> <p>16 mistake not to pursue the H-1B case as an</p> <p>17 alternative."</p> <p>18 Q. Was -- was Ms. Bouveng on the</p> <p>19 call with you and Mr. Johnson?</p> <p>20 A. She initiated the call, yes.</p> <p>21 Q. So -- and -- and it's your</p> <p>22 testimony that Ms. Bouveng agreed to continue</p> <p>23 with the H-1B petition; is that true?</p> <p>24 A. Yes. It was a dual track.</p> <p>25 Q. So did you and she submit an</p>	<p>1 Q. Were you aware that</p> <p>2 Ms. Bouveng's mother's passport disappeared</p> <p>3 from the apartment sometime after you were in</p> <p>4 it?</p> <p>5 A. No.</p> <p>6 Q. Okay. Now, by whom are you</p> <p>7 employed, if anyone?</p> <p>8 A. Rephrase the question, please.</p> <p>9 Q. By whom are you employed, if</p> <p>10 anyone?</p> <p>11 A. New York Global Group, NYG</p> <p>12 Capital.</p> <p>13 Q. Do you have a title with New</p> <p>14 York Global Group?</p> <p>15 A. Yes.</p> <p>16 Q. What's the title?</p> <p>17 A. Chief Executive Officer.</p> <p>18 Q. Are you paid a salary by New</p> <p>19 York Global Group?</p> <p>20 A. Yes.</p> <p>21 Q. What's your salary?</p> <p>22 A. 200,000.</p> <p>23 Q. A day, a week, a year, a month?</p> <p>24 A. Per year.</p> <p>25 Q. Do you receive any other</p>

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<p>1 compensation besides your salary from New 2 York Global Group? 3 A. No. 4 Q. In -- in the year 2000 -- 5 withdrawn. 6 Have you done your 2014 taxes? 7 MR. SHER: I'm going to object 8 to this line of questioning. What is the 9 relevance of this line of questioning 10 because you're not entitled to judgment 11 discovery at this point? 12 MR. RATNER: Okay. 13 BY MR. RATNER: 14 Q. How -- who else -- who else is 15 employed by New York Global Group? 16 A. James Baxter. 17 Q. What's his position? 18 A. Chairman and general counsel. 19 Q. Is he paid a salary? 20 A. No. 21 Q. Does he receive any 22 compensation? 23 A. Yes. 24 Q. How does he get his 25 compensation? How is that determined?</p>	<p>1 Q. Who? 2 A. Cleaning people. 3 Q. Okay. Anyone else? 4 A. Outside law firms. 5 Q. Anyone else? 6 A. Business consultants. 7 Q. In 2014, was Mr. Scholander 8 paid any money by New York Global Group? 9 A. No. 10 Q. In 2014, was Mr. Harris paid 11 any money from New York Global Group? 12 A. No. 13 Q. Was Messrs. -- either 14 Mr. Scholander or Mr. Harris paid any money 15 personally from you? 16 A. No. 17 Q. Do you know what 18 Mr. Scholander's source of income is? 19 A. Don't know. 20 Q. Or Mr. Harris? 21 A. Don't know. 22 Q. How many employees does New 23 York Global Group have? 24 A. Please clarify the question. 25 Q. How many employees does New</p>
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<p>1 A. He's an independent contractor. 2 Q. He gets a 1099? 3 A. Yes. 4 Q. How much did he get in his -- 5 on his 1099 in 2014? 6 A. I don't remember. 7 Q. Does New York Global Group have 8 any other employees? 9 A. Yes. 10 Q. Who? 11 A. Melinda Cruz. 12 Q. What's her title? 13 A. Office manager. 14 Q. Anyone else? 15 A. Yes. 16 Q. Who else? 17 A. Christy -- Christy Vaquez. 18 Q. What's her title? 19 A. Receptionist. 20 Q. And anyone else? 21 A. No. 22 Q. In 2014, besides Mr. Baxter, 23 were there any other independent contractors 24 working for New York Global Group? 25 A. Yes.</p>	<p>1 York Global Group have? 2 A. Four. 3 Q. Okay. Did you ever tell anyone 4 or did New York Global Group ever tell anyone 5 that it had 110 full-time employees? 6 A. No. 7 MR. RATNER: Okay. Let's mark 8 this as Exhibit 15, which is Plaintiff's 9 Bates numbers 1084, 1085, 1086 and 1087. 10 (Exhibit 15, Document Bates 11 numbered Plaintiff's 1085 through 1087, 12 marked for identification.) 13 BY MR. RATNER: 14 Q. Do you recognize what this 15 document is? 16 A. Yes. 17 Q. And this is something called a 18 Training/Internship Placement Plan, true? 19 A. Yes. 20 Q. And it's from the U.S. 21 Department of State, true? 22 A. True. 23 Q. United States Department of 24 State, that's a part of the United States 25 government --</p>

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<p>1 BY MR. RATNER:</p> <p>2 Q. Are you aware if Mr. Baxter or</p> <p>3 you told anyone that Micheala Wey was the --</p> <p>4 an HR manager at New York Global Group?</p> <p>5 MR. SHER: Same objection.</p> <p>6 A. I don't know.</p> <p>7 (Exhibit 16, Document Bates</p> <p>8 numbered Defendants' 634 and 635, marked for</p> <p>9 identification.)</p> <p>10 BY MR. RATNER:</p> <p>11 Q. Okay. I'd like to show you</p> <p>12 Exhibit 16, which is Bates numbered</p> <p>13 Defendants' 634 and 635.</p> <p>14 MR. SHER: Where do I find that</p> <p>15 in the binder? Is it in order of Bates</p> <p>16 numbers?</p> <p>17 MR. RATNER: No. It was right</p> <p>18 after the Training/Internship Placement Plan.</p> <p>19 MR. SHER: Okay. Got it.</p> <p>20 MR. RATNER: It should be the</p> <p>21 next document.</p> <p>22 THE WITNESS: Got it.</p> <p>23 BY MR. RATNER:</p> <p>24 Q. And if you look at the middle</p> <p>25 on the right-hand side of this document, it</p>	<p>1 says, "Number of employees at training/intern</p> <p>2 site," and it says the number seven, true?</p> <p>3 A. Yes.</p> <p>4 Q. And it says, "Gross annual</p> <p>5 revenue over \$25 million," true?</p> <p>6 A. True.</p> <p>7 MR. SHER: You're asking if the</p> <p>8 document -- if how you read the document is</p> <p>9 true or if the information is true?</p> <p>10 MR. RATNER: That's a good</p> <p>11 question, Mr. Sher.</p> <p>12 BY MR. RATNER:</p> <p>13 Q. Where -- where -- I read the</p> <p>14 document accurately, true?</p> <p>15 A. Yes.</p> <p>16 Q. But is it true or false that</p> <p>17 there are seven employees at the training</p> <p>18 site?</p> <p>19 A. I don't remember.</p> <p>20 Q. Is it true or false that NYGG's</p> <p>21 gross annual revenue is over \$25 million?</p> <p>22 A. In the New York location,</p> <p>23 false.</p> <p>24 Q. How about in the China</p> <p>25 location?</p>
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<p>1 says, "Contact person, full name," and it</p> <p>2 says under that, "James M. Baxter."</p> <p>3 Do you see that?</p> <p>4 A. Could you point it to me?</p> <p>5 Q. Yeah. It's on the first page.</p> <p>6 A. Oh, yeah, I do.</p> <p>7 Q. Okay.</p> <p>8 A. Thank you.</p> <p>9 Q. Then it says, "Title, executive</p> <p>10 chairman." Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. And then it says, "HR manager</p> <p>13 (full name)." And HR manager is human</p> <p>14 resources; would that be fair to say?</p> <p>15 A. Yes.</p> <p>16 Q. And it says, "James M.</p> <p>17 Baxter" -- "Baxter" and "Micheala Wey," true?</p> <p>18 A. Could you repeat the question?</p> <p>19 Q. Yeah. It says -- under, "HR</p> <p>20 manager (full name)," it lists two people --</p> <p>21 A. Yes.</p> <p>22 Q. -- "James M. Baxter" and</p> <p>23 "Micheala Wey," true?</p> <p>24 A. Yes.</p> <p>25 Q. And on the line under that, it</p>	<p>1 A. Yes.</p> <p>2 Q. Okay. And as a matter of fact,</p> <p>3 if you look at the second page of this</p> <p>4 document, who's Heidi Silverstone?</p> <p>5 A. She's the representative of</p> <p>6 ASSE Aspire --</p> <p>7 Q. Okay.</p> <p>8 A. -- a visa sponsor firm.</p> <p>9 Q. And she got the information --</p> <p>10 do you know where she got the information</p> <p>11 that she used to fill out this particular</p> <p>12 document?</p> <p>13 A. Don't know.</p> <p>14 Q. Did she make a visit to New</p> <p>15 York Global Group's headquarters?</p> <p>16 A. Yes.</p> <p>17 Q. And when she made her visit to</p> <p>18 the headquarters, did you talk to her?</p> <p>19 A. No.</p> <p>20 Q. Did Mr. Baxter talk to her?</p> <p>21 A. I don't know.</p> <p>22 Q. Did Micheala Wey talk to her?</p> <p>23 A. No.</p> <p>24 Q. And -- and Ms. Silverstone</p> <p>25 certified, did she not, if you look at the</p>

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<p>1 MR. RATNER: 001 through -- it's</p> <p>2 the LCOR Bates number -- 009.</p> <p>3 MR. SHER: It ends at 009?</p> <p>4 MR. RATNER: Yeah. The exhibit</p> <p>5 I'm showing him is only pages 1 through 9.</p> <p>6 MR. SHER: He's just asking you</p> <p>7 about 1 to 9.</p> <p>8 THE WITNESS: Oh, okay.</p> <p>9 A. Yes, it was a lease.</p> <p>10 BY MR. RATNER:</p> <p>11 Q. Okay. And in order to become</p> <p>12 her guarantor, you had to fill out an</p> <p>13 application also, right?</p> <p>14 A. Yes.</p> <p>15 MR. RATNER: And let's look at</p> <p>16 Exhibit 21, which, Mr. Sher, is page 25.</p> <p>17 (Exhibit 21, Application to</p> <p>18 become guarantor, marked for identification.)</p> <p>19 BY MR. RATNER:</p> <p>20 Q. And page 25, is that the</p> <p>21 application you filled out in order to become</p> <p>22 the guarantor for the apartment?</p> <p>23 A. Yes.</p> <p>24 Q. And one of the things they</p> <p>25 asked you in order to induce you to become</p>	<p>1 A. Yes.</p> <p>2 Q. That's what it says?</p> <p>3 A. Yes.</p> <p>4 Q. Was that true or false?</p> <p>5 A. Absolutely true.</p> <p>6 Q. Okay.</p> <p>7 A. Salary plus bonus at the end of</p> <p>8 each year, that's about right.</p> <p>9 Q. And would it be fair to say</p> <p>10 that -- that you reported that income on your</p> <p>11 federal income tax return?</p> <p>12 A. I don't know what was the</p> <p>13 arrangements. The income per month is always</p> <p>14 calculated based on a guaranteed salary</p> <p>15 plus an unguaranteed year-end performance</p> <p>16 bonus, which could be more or less than a</p> <p>17 particular person's compensation. That's the</p> <p>18 industry practice in the financial services</p> <p>19 industry.</p> <p>20 Q. Okay. Well, let's look at</p> <p>21 Exhibit 22 now, which is page 27.</p> <p>22 (Exhibit 22, Document Bates</p> <p>23 numbered 27, marked for identification.)</p> <p>24 A. Yes.</p> <p>25 BY MR. RATNER:</p>
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<p>1 guarantor of the apartment is what your</p> <p>2 monthly gross income was, right?</p> <p>3 MR. SHER: Objection to form.</p> <p>4 BY MR. RATNER:</p> <p>5 Q. Well, if you look on the</p> <p>6 left-hand column -- I'll withdraw that</p> <p>7 question.</p> <p>8 If you look at the left-hand</p> <p>9 column --</p> <p>10 A. Yes.</p> <p>11 Q. -- go down to the third box.</p> <p>12 It asks your work, right?</p> <p>13 A. Yes.</p> <p>14 Q. And it says, "Present employer,</p> <p>15 New York Global Group"?</p> <p>16 A. Yes.</p> <p>17 Q. And position is CEO --</p> <p>18 A. Yes.</p> <p>19 Q. -- right?</p> <p>20 A. Uh-huh.</p> <p>21 Q. The date you began this job,</p> <p>22 2002, right?</p> <p>23 A. Yes.</p> <p>24 Q. And gross monthly income, it</p> <p>25 says, "\$40,000 a month," right?</p>	<p>1 Q. And that's something from your</p> <p>2 accountants, Most &amp; Company?</p> <p>3 A. From a CPA firm, yes.</p> <p>4 Q. Yeah. And they say that in</p> <p>5 2012 you reported federal income tax income</p> <p>6 of 1.7 million, right? Is that accurate?</p> <p>7 A. Gross fees of the LLC, yes.</p> <p>8 Q. Okay. It said, "As reported on</p> <p>9 Mr. Wey's 2012 Federal Individual Income Tax</p> <p>10 Return," right?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Now, the monthly rent on</p> <p>13 this apartment was how much?</p> <p>14 A. I don't quite recall.</p> <p>15 Q. If I told you it was \$3,365 a</p> <p>16 month, would that refresh your recollection?</p> <p>17 A. Yes.</p> <p>18 Q. And you paid a part of that</p> <p>19 rent, right?</p> <p>20 A. Yes.</p> <p>21 Q. How much did you pay each</p> <p>22 month?</p> <p>23 A. I think I paid about \$2,000 per</p> <p>24 month, 2200, 2,000. I don't remember.</p> <p>25 Q. Did you -- and you paid it</p>

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<p>1 apartment, that's about right.</p> <p>2 Q. Did you ever tell Chemme that</p> <p>3 you made \$30 million a year?</p> <p>4 A. I don't make \$30 million a</p> <p>5 year.</p> <p>6 Q. I didn't ask you that. I asked</p> <p>7 you if you ever told her that you make \$30</p> <p>8 million a year.</p> <p>9 A. I don't remember I did. If I</p> <p>10 did, it was misspoken.</p> <p>11 Q. Did you ever see any videotape</p> <p>12 or other recordings of Ms. Bouveng and</p> <p>13 Mr. James Chauvet?</p> <p>14 A. Yes.</p> <p>15 Q. How many videotapes or other</p> <p>16 recordings did you see of Ms. Bouveng and</p> <p>17 James Chauvet?</p> <p>18 A. I don't remember.</p> <p>19 Q. Was it more than one?</p> <p>20 A. Yes.</p> <p>21 Q. Was it more than two?</p> <p>22 A. Yes.</p> <p>23 Q. Was it more than five?</p> <p>24 A. I don't remember.</p> <p>25 Q. Was it more than ten?</p>	<p>1 A. I don't remember.</p> <p>2 Q. Was this -- was the videotape</p> <p>3 of Ms. Bouveng and Mr. Chauvet kissing</p> <p>4 something you found on the internet or</p> <p>5 someplace else?</p> <p>6 A. I don't remember.</p> <p>7 Q. Did you see a videotape of Mr.</p> <p>8 Chauvet and Ms. Bouveng kissing in February</p> <p>9 2014?</p> <p>10 A. I don't remember.</p> <p>11 Q. Do you have in your possession,</p> <p>12 either at home or on a computer someplace or</p> <p>13 at work, the videotape you saw of Mr. Chauvet</p> <p>14 and Ms. Bouveng kissing?</p> <p>15 A. I have not looked.</p> <p>16 Q. That's not the question. The</p> <p>17 question is, do you have it?</p> <p>18 A. I don't know.</p> <p>19 Q. Who knows?</p> <p>20 A. I will look into it.</p> <p>21 Q. At any time before April 22,</p> <p>22 2014, did you see a videotape or other</p> <p>23 recording of Ms. Bouveng and Mr. Chauvet</p> <p>24 hugging?</p> <p>25 A. I probably did. I don't</p>
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<p>1 A. I don't remember.</p> <p>2 Q. When for the first time did you</p> <p>3 see a videotape or other recording of</p> <p>4 Ms. Bouveng and James Chauvet?</p> <p>5 A. I don't remember.</p> <p>6 Q. Would it -- at any time before</p> <p>7 April 22nd, did you see a video -- a</p> <p>8 videotape or other recording of Hanna Bouveng</p> <p>9 and James Chauvet?</p> <p>10 A. I believe I saw something on</p> <p>11 the Instagram or Facebook or some social</p> <p>12 media website before, before the termination.</p> <p>13 Q. At any time before April 22,</p> <p>14 2014, did you see a recording of Ms. Bouveng</p> <p>15 and Mr. Chauvet in the apartment building</p> <p>16 where Ms. -- where Ms. Bouveng rented an</p> <p>17 apartment?</p> <p>18 A. No.</p> <p>19 Q. Did you ever see any recordings</p> <p>20 or videotapes of Ms. Bouveng and Mr. Chauvet</p> <p>21 kissing?</p> <p>22 A. I probably did.</p> <p>23 Q. When for the first time did you</p> <p>24 see a videotape of Mr. Chauvet and</p> <p>25 Ms. Bouveng kissing?</p>	<p>1 remember.</p> <p>2 Q. Where did the video --</p> <p>3 withdrawn.</p> <p>4 Where did the videotape or</p> <p>5 other recording show that they were hugging?</p> <p>6 Was it inside, outside, in a building, on the</p> <p>7 street or someplace else?</p> <p>8 A. I don't remember.</p> <p>9 Q. Did you see a videotape of them</p> <p>10 hugging before April 22, 2014?</p> <p>11 A. I don't remember.</p> <p>12 Q. Did you -- did you ever see a</p> <p>13 videotape or other recording of Mr. Chauvet</p> <p>14 and Ms. Bouveng having intimate relations?</p> <p>15 A. Yes.</p> <p>16 Q. When did you see that?</p> <p>17 A. I don't remember.</p> <p>18 Q. Was -- were they having</p> <p>19 intimate relations in an apartment or --</p> <p>20 or in a dwelling, in a lobby, on the street?</p> <p>21 Where were they having these intimate</p> <p>22 relations?</p> <p>23 A. It was inside a building. I</p> <p>24 don't remember when that was.</p> <p>25 Q. Were the recordings of</p>

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## Benjamin Wey

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<p>1 Q. Is it you do, you don't, or --</p> <p>2 or you don't know?</p> <p>3 A. I don't know.</p> <p>4 Q. Well, I want those videos, too.</p> <p>5 A. I will look for them, and if</p> <p>6 they are available, they will be given to</p> <p>7 you.</p> <p>8 MR. RATNER: Off the record a</p> <p>9 second.</p> <p>10 THE VIDEOGRAPHER: The time is</p> <p>11 now 6:00 p.m. Going off the record.</p> <p>12 (Whereupon, a brief recess is</p> <p>13 taken.)</p> <p>14 THE VIDEOGRAPHER: The time is</p> <p>15 now 5:08. We're going back on the record.</p> <p>16 MR. RATNER: 6:08.</p> <p>17 THE VIDEOGRAPHER: Sorry.</p> <p>18 6:08.</p> <p>19 BY MR. RATNER:</p> <p>20 Q. Mr. Wey, I want to show you</p> <p>21 what's marked as Exhibit 33.</p> <p>22 (Exhibit 33, April 24th e-mail</p> <p>23 between Benjamin Wey to Hanna Bouveng, marked</p> <p>24 for identification.)</p> <p>25 BY MR. RATNER:</p>	<p>1 log. We ask you to produce one.</p> <p>2 MR. RATNER: I can represent to</p> <p>3 you that the only thing that's been redacted</p> <p>4 from that was communication between</p> <p>5 Ms. Bouveng and us. Nothing involving</p> <p>6 Mr. Wey or any communications with Mr. Wey</p> <p>7 and anyone outside -- between Mr. Wey and</p> <p>8 anyone or anyone that had nothing to do with</p> <p>9 us and Hanna.</p> <p>10 BY MR. RATNER:</p> <p>11 Q. So I'd like you to look at page</p> <p>12 963, and there's a picture on the top of page</p> <p>13 963 of -- of Hanna and Mr. Chauvet; is that</p> <p>14 true?</p> <p>15 A. I have no idea.</p> <p>16 Q. Well, is that Ms. Bouveng's</p> <p>17 photograph there?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And if you turn back to</p> <p>20 page 962, if you look at the left-hand side</p> <p>21 of the exhibit, there's a picture of you,</p> <p>22 right?</p> <p>23 A. Yes.</p> <p>24 Q. And next to you, it says -- and</p> <p>25 it's an investigative reporter. You call</p>
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<p>1 Q. It's an e-mail dated April 24th</p> <p>2 from you to Hanna with a copy to Chemme. Do</p> <p>3 you see that?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And you ask her to take</p> <p>6 down the LinkedIn reference, right?</p> <p>7 A. Yes.</p> <p>8 Q. And eventually she did that,</p> <p>9 right?</p> <p>10 A. A few days later.</p> <p>11 Q. Okay. You didn't ask her</p> <p>12 anyplace in this e-mail to return company</p> <p>13 property, true?</p> <p>14 A. Not in this e-mail.</p> <p>15 (Exhibit 32, Document Bates</p> <p>16 numbered 960 through 970, marked for</p> <p>17 identification.)</p> <p>18 BY MR. RATNER:</p> <p>19 Q. Okay. Now, I'd like to show</p> <p>20 you what's been marked as Exhibit 32, which</p> <p>21 consists of pages marked 960 to 96 -- to 970.</p> <p>22 Do you see that?</p> <p>23 MR. SHER: I just want to note</p> <p>24 for the record that Exhibit 32 appears to be</p> <p>25 redacted, and we haven't received a redaction</p>	<p>1 yourself an investigative reporter, right?</p> <p>2 A. Yes.</p> <p>3 Q. "We are focused on Bouveng's</p> <p>4 affiliation with drug dealers and her</p> <p>5 contacts and these very troubling photos</p> <p>6 discovered," right?</p> <p>7 A. Yes.</p> <p>8 Q. And this is part of some</p> <p>9 Facebook messages that you sent to Nina</p> <p>10 Chelidze?</p> <p>11 A. I cannot confirm who I sent it</p> <p>12 to.</p> <p>13 Q. Okay. But it's something you</p> <p>14 sent to someone, right?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And then the next page</p> <p>17 is a picture on top of Ms. Bouveng with</p> <p>18 someone who you can't identify; is that true?</p> <p>19 Or was that Mr. Chauvet?</p> <p>20 A. I can only speculate it was</p> <p>21 Mr. Chauvet.</p> <p>22 Q. Okay. And below that is a</p> <p>23 picture of a woman inserting a black dildo in</p> <p>24 her vagina. What's that all about?</p> <p>25 MR. SHER: Objection to form.</p>

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<p>1 A. This picture is among the many</p> <p>2 pictures searched online associated with</p> <p>3 Hanna Bouveng and James Chauvet.</p> <p>4 BY MR. RATNER:</p> <p>5 Q. Was this picture from Hanna</p> <p>6 Bouveng's Instagram account?</p> <p>7 A. I don't -- I don't think so.</p> <p>8 Q. Was this picture from James</p> <p>9 Chauvet's Instagram account?</p> <p>10 A. I don't know.</p> <p>11 Q. Was it from James Chauvet's</p> <p>12 Facebook page?</p> <p>13 A. I don't know.</p> <p>14 Q. Well, how -- other than the</p> <p>15 fact that it's a picture of a black penis in</p> <p>16 a white vagina, how is it in any way</p> <p>17 associated with Hanna Bouveng and James</p> <p>18 Chauvet?</p> <p>19 A. Because this particular sex</p> <p>20 toy, if I could call it, was found in Hanna</p> <p>21 Bouveng's apartment.</p> <p>22 Q. Who found it in Hanna Bouveng's</p> <p>23 apartment?</p> <p>24 A. I found it.</p> <p>25 Q. When?</p>	<p>1 A. Researchers.</p> <p>2 Q. These Chinese researchers?</p> <p>3 A. In Asia.</p> <p>4 Q. And you said that</p> <p>5 they -- when they did research looking into</p> <p>6 Hanna Bouveng and James Chauvet, this is a</p> <p>7 picture that appeared; is that what you're</p> <p>8 telling us?</p> <p>9 A. They did global searches. Many</p> <p>10 photos came up.</p> <p>11 Q. And this is one of the photos</p> <p>12 that came up when you looked up Hanna Bouveng</p> <p>13 on the internet or James Chauvet on the</p> <p>14 internet or both of them on the internet,</p> <p>15 right?</p> <p>16 MR. SHER: Objection.</p> <p>17 Foundation.</p> <p>18 BY MR. RATNER:</p> <p>19 Q. Is that what you're telling us?</p> <p>20 A. My understanding is those</p> <p>21 names, yes.</p> <p>22 Q. So why in heaven's name would</p> <p>23 you send this to someone?</p> <p>24 A. Please repeat the question.</p> <p>25 Q. Why in heaven's name would you</p>
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<p>1 A. After she left the apartment.</p> <p>2 Q. Did that somehow offend you</p> <p>3 that she had a sex toy?</p> <p>4 A. Not at all.</p> <p>5 Q. And did you find this picture</p> <p>6 of a white woman and a black dildo in her</p> <p>7 apartment?</p> <p>8 A. No.</p> <p>9 Q. So you had to go find a picture</p> <p>10 of a white woman with a black dildo and --</p> <p>11 and send it to someone, right?</p> <p>12 A. Not at all. Not true.</p> <p>13 Q. Well, how did you get that</p> <p>14 picture?</p> <p>15 A. The pictures were searched</p> <p>16 according to online searches in names</p> <p>17 associated with Hanna Bouveng and James</p> <p>18 Chauvet, party lives, and this picture</p> <p>19 appears to be some -- some form of a nature</p> <p>20 involving that dildo found in her apartment.</p> <p>21 I cannot confirm one way or the other.</p> <p>22 Q. Does that purport to be a</p> <p>23 picture of Hanna Bouveng's vagina?</p> <p>24 A. I have no idea.</p> <p>25 Q. Who found this picture?</p>	<p>1 send this to someone?</p> <p>2 A. Well, to be frank with you, in</p> <p>3 hindsight, I probably shouldn't have done it.</p> <p>4 Q. No. But why did you do it?</p> <p>5 What the hell were you thinking? Withdrawn.</p> <p>6 What in heaven's name did you</p> <p>7 think when you sent this?</p> <p>8 A. I was so upset, I tell, you. I</p> <p>9 felt a strong sense of betrayal. Every day</p> <p>10 she came to my office. She said, Ben, I'm so</p> <p>11 grateful to you. You're my mentor. You</p> <p>12 changed my life. Her father says the same</p> <p>13 thing to me.</p> <p>14 And I -- I felt so angry, upset</p> <p>15 after I had to terminate her. I felt her</p> <p>16 life was ruined by James Chauvet, and Mr.</p> <p>17 Chauvet's criminal record certainly</p> <p>18 contributed to that particular anger.</p> <p>19 And in hindsight, I -- I should</p> <p>20 not have sent it to anybody. I don't care</p> <p>21 who that is. That was not appropriate.</p> <p>22 Q. I mean, you -- you -- you were</p> <p>23 like really angry, like, that she betrayed</p> <p>24 you at the end of April 2014, right?</p> <p>25 A. I discovered numerous lies</p>

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<p>1 she -- she told. I thought it was not  2 necessary, and I just felt like, you know, I  3 was her mentor. And she told me that every  4 single day, Ben, how grateful I am to you.  5 You give me such a beautiful life.  6 Her father said the same thing  7 to me. Her aunt said the same thing to me.  8 Every day. I felt almost responsible for her  9 better life as a mentor, as a dear friend.  10 Q. So that you felt that because  11 of that you had to send a pornographic  12 picture to a friend, Nina Chelidze, right?  13 A. This picture came up along with  14 many other searches.  15 Q. So you felt that you had to  16 send a pornographic picture to Nina Chelidze,  17 right?  18 A. No. I had no idea who I sent  19 it to, but it appears that I sent it to  20 somebody. Whoever that was on the receiving  21 end of it was not an appropriate thing to do.  22 I -- I regret.  23 Q. Okay.  24 A. That's the bottom line.  25 Q. And you sent it in, like, three</p>	<p>1 a.m.  2 Q. Okay. In any event -- okay. I  3 got the wrong one. That's fine. All right.  4 April 22nd.  5 And that's Hanna and  6 Mr. Chauvet walking into the building, right?  7 A. Yes. In early morning, drunk,  8 yes.  9 Q. Okay. And you could tell that  10 they were drunk from that video, right?  11 A. I could tell, yes.  12 Q. All right. If you look at the  13 third paragraph, you say, "Hanna, I could  14 never understand how a talented young lady  15 like Hanna would date a man with a criminal  16 history and works as a nightclub promoter."  17 You said that?  18 A. Yes.  19 Q. And then back on the fourth  20 sentence, you say, "Wake up, Hanna. Was it  21 better sex or better alcohol," right?  22 A. Yes.  23 Q. "Was it better sex or better  24 alcohol that kept you blind?"  25 Who are you comparing the</p>
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<p>1 full months after April 22nd. You sent it on  2 July 22, 2014. I mean, wasn't your sense of  3 anger someone lessened by then?  4 A. I have no idea of the date. I  5 don't seem to find this date or -- one way or  6 the other.  7 MR. RATNER: Exhibit -- Exhibit  8 30. Thank you.  9 (Exhibit 30, April 29, 2014  10 e-mail from Benjamin Wey to Hanna Bouveng,  11 marked for identification.)  12 BY MR. RATNER:  13 Q. That's an e-mail that you sent  14 to Hanna on April 29, 2014, right?  15 A. Yes.  16 Q. Okay. And it's a three-page  17 e-mail with a photograph attached as the  18 fourth page -- or, a video attached?  19 A. Yes.  20 Q. And the video is in the lobby  21 of the building on April 20, 2014, right?  22 A. April 22, 2:46 a.m., yes.  23 Q. Actually, it says, 4/20/14 at  24 11:03 p.m., at least the one on mine does.  25 A. It says, April 22, 2014, 2:46</p>	<p>1 better sex to?  2 Was it better sex that James  3 Chauvet gave her than you gave her or  4 something else?  5 A. This most likely was written in  6 the middle of anger. If I could change the  7 word, I'd change the word to good instead of  8 better. That would be more appropriate in  9 the English language, and my native language  10 is Chinese-Mandarin.  11 Q. Okay.  12 A. It should be good, if I could  13 change that.  14 Q. Turn to the next page. Second  15 paragraph, last line, "Does he give you  16 better sex or more alcohol?"  17 Better sex than who, Mr. Wey,  18 better sex than you?  19 A. No, not at all. I would say  20 it's more like good sex or good alcohol.  21 That would be more appropriate in the English  22 language. Again, my native language is  23 Chinese.  24 In writing in the middle of  25 anger, I probably -- I most likely and</p>

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